

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled, the specification of which

☐ is attached hereto.

☒ was filed on April 13, 1999 as Application Serial No. 09/291,932 and was amended on

☐ was described and claimed in PCT International Application No. _____
filed on _____ and as amended under PCT Article 19 on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. SERIAL NO.	FILING DATE	STATUS
<u>60/081,781</u>	<u>April 14, 1998</u>	<input checked="" type="checkbox"/> Pending <input type="checkbox"/> Issued <input type="checkbox"/> Abandoned

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Scott C. Harris, Reg. No. 32,030; William J. Egan, III, Reg. No. 28,411; David L. Feigenbaum, Reg. No. 30,378; John F. Land, Reg. No. 29,554; Ralph A. Mittelberger, Reg. No. 33,195; Hans R. Troesch, Reg. No. 36,950; John R. Wetherell, Jr., Reg. No. 31,678; George Pappas, Reg. No. 35,065 and Bing Ai, Reg. No. 43,312; of Fish & Richardson, P.C.

Address all telephone calls to Scott C. Harris at telephone number 619/678-5070.

Address all correspondence to Scott C. Harris, Fish & Richardson P.C., 4225 Executive Square, Suite 1400, La Jolla, CA 92037.


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that

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willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: Nathan S. Lewis

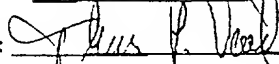
Inventor's Signature:  Date: 6/9/99

City, State: La Canada, California

Citizen of: U.S.A.

Residence Address: 5259 Gould Avenue, La Canada, CA 91011

Full Name of Inventor: Thomas P. Vaid

Inventor's Signature:  Date: 6/16/99

City, State: Pasadena, California

Citizen of: _____

Residence Address: 169 N. Holliston Ave., #11, 91006

ASSIGNMENT

For valuable consideration, we, Nathan S. Lewis, of La Canada, California; and Thomas P. Vaid, of Pasadena, California; hereby assign to California Institute of Technology, a California corporation having a place of business at 1200 East California Boulevard; Pasadena, California 91125, and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements, and to any claims (known or unknown, suspected or unsuspected) of any nature that we have or may have against any party for infringement of the Patent Rights, which are subject of an application for United States Patent signed by us this day, entitled

METHOD AND SYSTEM FOR DETERMINING ANALYTE ACTIVITY

filed April 13, 1999, and assigned U.S. Serial Number 09/291,932 and we authorize and request the attorneys appointed in said application to hereafter complete this assignment by inserting above the filing date and serial number of said application when known; this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and we authorize the Assignee to apply in all countries in our name or in its own name for patents, utility models, and design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and we agree for ourselves and our respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

Dated: 6/9/99

Dated: 6/16/99

Nathan S. Lewis
Nathan S. Lewis
Thomas P. Vaid
Thomas P. Vaid